

SIEMENS

PATENT
Attorney Docket No. 2003P14050WOUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	W. Stamm et al.)	Confirmation No:	8721
)		
Serial No.:	10/575,979)	Examiner:	A. Austin
)		
Filed:	April 17, 2006)	Group Art Unit:	1794
Title	PROTECTIVE LAYER FOR PROTECTING A COMPONENT AGAINST CORROSION AND OXIDATION AT HIGH TEMPERATURES, AND COMPONENT			

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed August 12, 2009, the Examiner asserts that the claims include three patentably distinct groups and requires Applicant to select for examination one of the following groups:

Group I Claims 14-23, drawn to a protective layer for protecting against corrosion and oxidation at high temperatures,

Group II Claims 24-27, drawn to a process for producing a high temperature corrosion and oxidation protection layer,

Applicant agrees with the Examiner's determination of patentable distinctness between each of the Groups and in response elect, without traverse, to prosecute for examination purposes the patentably distinct invention specified in **Group 1, claims 14-23**. However, Applicant urges the Examiner to **carefully reconsider** the patentable distinctness determinations made as set

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forth in MPEP 806.04(h) and 808.01(a) in regards to the impact on prior art references in future divisional applications.

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Aug. 24, 2009

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